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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

College District #508, County of Cook  
Licensee of Television Station WYCC  
Chicago, Illinois

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File No. EB-04-CG-121

NOV No. V20043232012

**NOTICE OF VIOLATION**

**Released: March 31, 2004**

By the District Director, Chicago Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to College District #508, County of Cook, licensee of television station WYCC.

2. On March 24, 2004, agents of the Commission's Chicago Office inspected television station WYCC, located at 7500 S. Pulaski Road, Chicago, Illinois, and observed the following violation(s):

- a. 47 C.F.R. § 11.61(a)(1)(v): "...monthly tests must be transmitted within 60 minutes of receipt by broadcast stations or cable systems in an EAS Local Area or State." There was no evidence that the required monthly tests were transmitted during the months of January 2003 through October 2003, and December 2003 through February 2004.
- b. 47 C.F.R. § 11.61(a)(2)(A): "Effective January 1, 1997, AM, FM and TV stations must conduct tests of the EAS header and EOM codes at least once a week at random days and times at least once a week." The required tests were not transmitted every week from January 5, 2003 through March 1, 2004.
- c. 47 C.F.R. § 73.1820(a)(1)(c)(iii): Entries must be made in the station log for "...each test and activation of the Emergency Alert System (EAS) pursuant to the requirement of Part 11 of this chapter and the EAS Operating Handbook." At the time of the inspection there were numerous entries missing from the logs for the period of January 1, 2003 through March 1, 2004.
- d. 47 C.F.R. § 73.1870(b)(3): "The designation of the chief operator must be in writing with a copy of the designation posted with the station license. At the

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<sup>1</sup> 47 C.F.R. § 1.89.

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time of the inspection, the station did not have a written designation of the chief operator.

- e. 47 C.F.R. § 73.1870(c)(3): The chief operator is responsible for “Review of the station records at least once each week to determine if the required entries are being made ... Upon completion of the review, the chief operator or his designee must date and sign the log, initiate any corrective action which may be necessary, and advise the station of any condition which is repetitive.” At the time of the inspection, the station logs had not been reviewed or signed.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, College District #508, County of Cook, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Chicago Office  
1550 Northwest Highway, Room 306  
Park Ridge, IL 60068

4. This Notice shall be sent to College District #508, County of Cook, 7500 South Pulaski Road, Chicago, IL 60652.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

G. Michael Moffitt  
District Director  
Chicago Office

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<sup>2</sup> 47 U.S.C. § 308(b).

<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*